

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHWESTERN DIVISION**

JOHN THOMAS BIASO,]	
]	
Petitioner,]	
]	
v.]	5:11-cv-2648-AKK-RRA
]	
WARDEN VICTOR WALKER, et al.,]	
]	
Respondents.]	

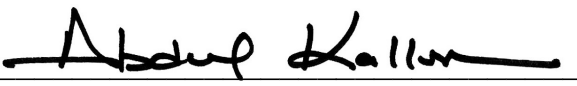
MEMORANDUM OPINION

This is a habeas corpus petition. The magistrate judge entered a report and recommendation recommending that the respondents' motion for summary judgment be granted and the action dismissed, because it is barred by the statute of limitations. The petitioner has filed objections to the report and recommendation as well as a "Motion to Compel Production of Petitioner John Thomas Biaso at Evidentiary Hearing or Grant Habeas Relief."

The court has considered the entire file in this action, including the report and recommendation, the petitioner's objections to the report and recommendation, and the "Motion to Compel Production of Petitioner John Thomas Biaso at Evidentiary Hearing or Grant Habeas Relief," and has reached an independent conclusion that the report and recommendation is due to be adopted and approved.

Accordingly, the court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. The “Motion to Compel Production of Petitioner John Thomas Biaso at Evidentiary Hearing or Grant Habeas Relief” is due to be denied and the habeas petition is due to be dismissed. An appropriate order will be entered.

Done this 31st day of January, 2012.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE